

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,	:	Case No. 2:19-cv-305
	:	
Plaintiff,	:	
	:	
v.	:	MAGISTRATE JUDGE VASCURA
	:	
ONE HUNDRED THIRTY THOUSAND	:	
AND 00/100 DOLLARS (\$130,000.00) IN	:	
UNITED STATES CURRENCY, <i>et al.</i>,	:	
	:	
Defendants.	:	

JUDGMENT AND DECREE OF FORFEITURE

This matter comes before the Court on the United States' Motion for entry of a Judgment and Decree of Forfeiture pursuant to Rule 54 of the Federal Rules of Civil Procedure and 21 U.S.C. § 881(a)(6). (Doc. 32.) After a thorough review of the record, the Court finds the following:

That on January 31, 2019, the United States filed a verified Complaint for Forfeiture *In Rem* in the present action seeking the forfeiture of One Hundred Thirty Thousand and 00/100 Dollars (\$130,000.00) in United States Currency (Defendant 1) and Sixty Thousand and 00/100 Dollars (\$60,000.00) in United States Currency (Defendant 2) (Doc. 1);

That this action was brought to enforce the provisions of 21 U.S.C. § 881(a)(6), which provides for the forfeiture to the United States of:

All moneys, negotiable instruments, securities, or other things of value furnished or intended to be furnished by any person in exchange for a controlled substance or listed chemical in violation of this subchapter, all proceeds traceable to such an exchange, and all moneys, negotiable instruments, and securities used or intended to be used to facilitate any violation of this subchapter;

That process was duly issued herein and returned according to law (Doc. 4);

That notice of the civil forfeiture action against the defendants was given according to law (Docs. 5, 6, 20);

That Bilal Abdulkadir and Fuad Omer have filed timely claims and answers asserting an interest in the defendants (Docs. 8, 9, 11, 13);

That a Default Judgment (Doc. 29) was entered against Mohamed Omar who, having received written notice of this action (Doc. 20), did not file a claim or request an extension of the filing deadline;

That the United States and claimant Fuad Omer have entered into a Settlement Agreement as to his claim to Defendant 1, \$130,000.00 in United States Currency, in which the United States agrees to release \$100,000.00 to Fuad Omer in full settlement of his claim, and Fuad Omer agrees to the entry of a Judgment and Decree of Forfeiture, forfeiting all of his right, title, and interest in the balance of Defendant 1, a total of \$30,000.00 in United States Currency to the United States, pursuant to 21 U.S.C. § 881(a)(6) (*see* Doc. 32-1);

That the United States and claimant Bilal Abdulkadir have entered into a Settlement Agreement as to his claim to Defendant 2, \$60,000.00 in United States Currency, in which the United States agrees to release \$40,000.00 to Bilal Abdulkadir in full settlement of his claim, and Bilal Abdulkadir agrees to the entry of a Judgment and Decree of Forfeiture, forfeiting all of his right, title, and interest in the balance of Defendant 2, a total of \$20,000.00 in United States Currency to the United States, pursuant to 21 U.S.C. § 881(a)(6) (*see* Doc. 32-2); and

That this Court has jurisdiction pursuant to 21 U.S.C. § 881(a)(6), 28 U.S.C. § 1345, and 28 U.S.C. § 1355.

NOW THEREFORE, based upon the above findings, and the Court being otherwise fully advised in the matter, it is hereby **ORDERED, ADJUDGED, AND DECREED:**

1. That all right, title, and interest in the following subject property is hereby **CONDEMNED** and **FORFEITED** to the United States pursuant to 21 U.S.C. § 881(a)(6):

Thirty Thousand and 00/100 Dollars (\$30,000.00) in United States Currency; and

Twenty Thousand and 00/100 Dollars (\$20,000.00) in United States Currency;

2. That in accordance with Rule 54 of the Federal Rules of Civil Procedure, judgment is hereby entered against Fuad Omer, Bilal Abdulkadir, and all other persons and entities who might have an interest in this subject property;

3. That all right, title, and interest in and to this subject property is vested in the United States, and no right, title, or interest shall exist in any other person or entity;

4. That the United States shall dispose of the subject property in accordance with the law;

5. That the United States shall return \$100,000.00 to Fuad Omer in accordance with the Settlement Agreement (Doc. 32-1); and

6. That the United States shall return \$40,000.00 to Bilal Abdulkadir in accordance with the Settlement Agreement (Doc. 32-2).

IT IS SO ORDERED.

/s/ Chelsey M. Vascura

CHELSEY M. VASCURA
UNITED STATES MAGISTRATE JUDGE